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Marijuana laws

George Moscone

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~~San-Francisco-Board-of-Supervisors~~
~~Joint-Committee-of-Finance-&~~
~~Police,-Fire-and-Safety~~

Mr. Chairman, committee members, members of the press and community, I thank you for the opportunity to address you. I laud you for your efforts to right one of the many wrongs in our society today. I congratulate you for being one or perhaps the only such public body on the county level in the nation making a meaningful inquiry in terms of alleviating and humanizing the great havoc caused by our present barbaric marijuana laws. I want to express my support because I, too, am making such an inquiry at the legislative level. I would support you even if I were not.

In support of your efforts I want to touch on a number of points: first, I am strongly against all drug use. I am in favor of discouraging the use of all drugs, both licit and illicit. > I am in favor of educating the public so the people may make an informed decision if they decide to use drugs. I believe public hearings are very important in educating not only the public at large, but the public officials who must make policy decisions affecting the public. > I believe we ought to recognize we are a drug-oriented society who abundantly uses and misuses both licit and illicit drugs. We must squarely face all drug problems, especially when they abuse our young and

old alike. We have been so conditioned by the constant bombardment by the media to all kinds of drugs. We use them whether we need them or not. The use goes from drinking coffee, smoking cigarettes to relieving an upset stomach, from relieving irregularity to falling asleep to calming our distresses. And the list goes on and on. We condone such use and justify it on the rationale of coping with problems when in reality we sometimes really use them as an escape. Yet at the same time we condemn and ruin our young because they choose to use marijuana--a drug not yet proven to be harmful and addictive--recreationally or in the same way we use other proven more harmful drugs. We must stop this hypocrisy. We must face the marijuana use issue because of its widespread use and prevalence. We must face tens of millions of the population are using marijuana, have used it and will use it. We cannot continue to make criminals of our children by throwing them in prisons and jails we know are no good. We must change the laws in order to stop this hypocrisy and criminalization.

Second, I am in favor of humane and effective laws. I disfavor laws out of kilter with the act involved and as a result unenforceable. Flouted laws are ineffective and unenforcable. Our marijuana laws are such laws. Many people today flout the law. They seem to almost tease, daring the police to arrest them. They do so because they feel the penalty is way out-of-proportion with the act. They have not and do not believe what they have been told about marijuana because their experience has shown otherwise. They have and will not be deterred from using marijuana.

We must lessen the penalty of the marijuana laws. We must stop driving our children to patronize dope peddlers and in turn fraternize with them because at least there they are not harrassed and persecuted. I have a strong belief the marijuana possession laws are not being uniformly and equitably enforced. Our children know this too and as a result they know the injustice done. They know the law is inhumane because it pits people against people. Much too often the same law means something different to different people. The effects transcends color and race. For instance, a student on a college campus, depending on the attitudes of the police, the D.A. and the courts, may not be subjected to arrest and prosecution if he or she is using marijuana publicly, whereas a person in the barrio or ghetto, or the community of campus would most probably be arrested. The same person would more than likely get convicted whereas the student would not. This is not right for either person or society and can no longer be tolerated. The law at least ought to be applied evenly to all or it ought to be revised. Revision would be the most sound approach so long as the law is then finally enforced.

I have a strong belief the wide use of marijuana today creates alienation between daily users who come from all walks of life, from lawyers to doctors, to housewives and the man in the street, who consider themselves non-criminals harrassed for what in their minds is an invasion of privacy and a non-criminal activity and the beleaguered police who sometimes do not relish or believe in what they do but must do so because the laws say so.

As a consequence disrespect and disobedience for the law is bred. I believe when a law does this it ought to be scrutinized and changed to bring harmony to our already too much strife-riddled society. If we can resolve this issue it will be a big step in this direction. We cannot continue to criminalize good productive citizens, people who are law-abiding in all other respects. We cannot be inflexible and slaves to our own laws. Conditions have changed and we must change the law to suit today's needs.

If we can get respect for the police and the law we will have made a tremendous gain. The gains come not only in terms of reducing social costs such as avoiding ruination of the lives of those arrested, but of re-setting priorities for the police to go after, apprehend and jail persons committing more violent crimes such as rape, robbery and burglary against the person, rather than spend time and money on persons arrested for simple possession of marijuana.

In conclusion, I want to restate I am opposed to drug use, but since marijuana is here and I think it is here to stay, we should lessen the penalty for simple possession and personal use. If the arrest procedures can be humanized so much the better. I favor decriminalization but not legalization. I thank you for your audience.